IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 3RD JULY 2006 / 12TH ASHADA, 1928

Bail Appl..No. 3944 of 2006()

CMP.394/2006 of J.M.F.C.-II, CHENGANNUR
(CRIME NO.83/2006 OF CHENGANNUR EXCISE RANGE)

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PETITIONER/ACCUSED:

SRI.DAMODARAN, S/O. KUNJUPANICKAN,
AGED 75 YEARS, VILANGEZTHU VEEDU,
PANDANADU KIZHAKKUM MURI, PANDANADU VILLAGE,
CHENGANNUR TALUK.

BY ADV. SRI.S.HARIKRISHNAN

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR, CHENGANNUR.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 3944/2006

DATED THIS THE 3RD DAY OF JULY, 2006

O R D E R

The petitioner is the first accused in C.R.No.83/2006 of Chengannur Excise Range. The allegation is that ten liters of illicit arrack and five liters of spirit were recovered from the house of the first accused. However, the records show that the second accused, the son of the petitioner, is absconding and he is instrumental in storing these contraband articles.

2. After hearing both sides and also considering that there is no case registered against the petitioner, I grant bail and release the petitioner from jail, subject to the following conditions:-

1. The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Chengannur.

2. The petitioner shall report before the investigating officer, once in a week, on every Monday, between 10.00 a.m and 11.00 a.m., for a period of one month, starting from 10.7.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs